

# ZONING INTERPRETATION RECORD

## **Subject of Interpretation:**

Temporary Sales Office Buildings and Model Homes in R-4R

## **Zoning Ordinance Section Number:**

Sec. 5.903.A.7.

## **Title of Section:**

Use Regulations – Permitted Uses

## **Cause for Interpretation:**

To determine whether a temporary sales office building and model home could be classified as "accessory buildings and uses customarily incidental to the permitted uses" within the R-4R – Resort/Townhouse Residential District.

## **Interpretation:**

An *Accessory building* is defined as "a building, the use of which is customarily incidental to that of a dominant use of the main building or premises including bona fide household employees' quarters."

An *Accessory use* is defined as "a use customarily incidental, related, appropriate and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or building or adversely affect other properties in the district."

Dwelling units having either party walls or walled courtyards made available for rent, lease or sale are permitted within the R-4R district "by right".

A temporary sales office building and/or model home is both accessory use and accessory building in the R-4R district because its primary purpose is to serve as a sales office for the selling, renting or leasing of dwelling units within a R-4R zoned property. Its temporary nature assures that the principle or dominant related use (dwelling units) of the property is not altered or adversely affected.

Additionally, the temporary classification assumes that the sales use and building will only be utilized for a time period not to exceed the date at which the last unit or lot within the R-4R property is sold, rented or leased for the first time.

11-16-2001  
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11-19-01  
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